

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:10-CV-237-D

JERRY BRYANT, and
CATHLEEN BRYANT,
Plaintiffs,
v.
WELLS FARGO BANK, NATIONAL
ASSOCIATION, et al.,
Defendants

ORDER

On January 5, 2012, United States Magistrate David W. Daniel issued a Memorandum and Recommendation (“M&R”) [D.E. 66]. In the M&R, Judge Daniel recommended that the court grant defendant Hutchens, Senter & Britton, P.A.’s motion to dismiss [D.E. 52]. No party objected to the M&R.

“The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the [magistrate judge’s] report or specified proposed findings or recommendations to which objection is made.” Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (alteration in original) (emphasis and quotation omitted). Absent a timely objection, “a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Id. (quotation omitted).

The court has reviewed the M&R and the record. The court is satisfied that there is no clear error on the face of the record. Defendant Hutchens, Senter & Britton, P.A.'s motion to dismiss [D.E. 52] is GRANTED, and defendant Hutchens, Senter & Britton, P.A. is DISMISSED from this action.

SO ORDERED. This 18 day of February 2012.



JAMES C. DEVER III
Chief United States District Judge